( S/19)

AUG 18 1961

TO s The Secretary

FIGHT THR - Thomas L. Hughes

IN TILLIGENCE NOTE: SIGNIFICANCE OF SOVIET-EAST GERMAN ACTIONS IN BERLIN

Feal Aim of Forder Controls. The Soviet-East German closing of the sector boundary between East and West Berlin has two aims. The most immediate and obvious is to halt an embarrassing refuges flow. The second, and ultimately far more significant, however, is the assertion of last German severeignty over East Berlin.

The East Germans have long had it within their power to stop the refugee flow by various control measures. Undertaken outside the Ferlin area, such measures would have been less dramatic and have required somewhat longer to be fully effective. They would not, however, have presented a challenge to the Allied position in Perlin.

Tanks to Establish a Principle. The ban on Fast Cerman travel to West Ferlin was implemented with a show of force which not only was designed to discourage any disturbances but also had the effect of establishing the principle of the defacto incorporation of East Berlin into East Germany and the right of the GDR army to be stationed in Last Ferlin. The Last German army, tanks, paramilitary groups, etc., were all utilised.

For Toward Incorporation of East Perlin in Ciff. All orders and regulations connected with the new control reasures in Berlin are being issued by the GDR, not by the East Berlin Government. Over the years the USSR has been careful to maintain the legal distinction between East Berlin and East

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E. O. 11652, SEC. 2(E), 5(D), 5(E) AND 11

Dagt a State (ULK-78-6(A))

NARS, DATE 12/4/78

Cernany. Respite profes and pressures against the Allies and Mest Berliners (for example, marching the Fast German arry through Last Berlin on May Day), the presence of the GLR arry was never flaunted in the city. All last Perlin legislation was kept distinct from GLR legislation; the latter became effective in East Berlin only by a cover law formula similar to that used in West Perlin for FRO laws. Only on rare occasions did GLR regulations inno facto have validity in East Berlin — the September 8, 1960, decree was one, and it was allowed to lapse because of the consequences it incurred.

Before Coronflage for a Change in Status? Although careful to assert no infringement of Mestern Allied rights in Berlin, the USSR has to all intents and purposes now turned over military control of Fast Berlin to the Fast Germane, and Mast German troops are manning the sector controls in direct violation of four power agreement. By taking action under cover of publicity on the refugee movement, the bloo campuflages the vital element of its rove — the change in the status of East Berlin. This change is to be accomplished by a show of force which the Mestern Allies are expected to protest but also to learn to live with. The Soviet maneuver is thus well calculated to schieve two important Moscow aims an end to the refugee flow and replacement of four-power responsibility by East German control over Last Perlin. To the extent that the maneuver is not successfully challenged, it strengthens Yoscow's hand vis-s-vis the West on the Berlin question.

